

Filed this 28<sup>th</sup> Day of February, 2014, In open Court  
-RSC

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

INVENTIO AG,

Plaintiff,

v.

THYSSENKRUPP ELEVATOR  
CORPORATION,

Defendant.

C.A. No. 08-874-RGA

**VERDICT FORM**

We, the jury, unanimously find as follows:

**I. INFRINGEMENT**

- A. Has Inventio proved by a preponderance of the evidence that ThyssenKrupp Elevators Corporation infringed the Inventio patents with the three accused elevator jobs?

'465 patent

Claim 1	<u>✓</u> infringed	<u>      </u> not infringed
Claim 2	<u>✓</u> infringed	<u>      </u> not infringed
Claim 3	<u>✓</u> infringed	<u>      </u> not infringed

'861 patent

Claim 1	<u>      </u> infringed	<u>✓</u> not infringed
Claim 3	<u>      </u> infringed	<u>✓</u> not infringed

**II. DAMAGES**

If you found at least one of the claims infringed, continue with this section (Section II). If you found that no claims were infringed, skip this section and proceed to Section III.

**DO NOT CONSIDER ANY ISSUE OF INVALIDITY OR INVENTORSHIP WHEN ANSWERING THIS QUESTION.**

What is the amount of reasonable royalty damages to compensate Inventio for infringement?

\$ 40,320

### III. INVALIDITY

1. Has ThyssenKrupp Elevators Corporation proven by clear and convincing evidence that the Inventio patent claims are invalid as OBVIOUS?

'465 patent

Claim 1	<u>✓</u> invalid	<u>      </u> valid
Claim 2	<u>✓</u> invalid	<u>      </u> valid
Claim 3	<u>✓</u> invalid	<u>      </u> valid

'861 patent

Claim 1	<u>✓</u> invalid	<u>      </u> valid
Claim 3	<u>✓</u> invalid	<u>      </u> valid

2. Has ThyssenKrupp Elevators Corporation proven by clear and convincing evidence that the Inventio patent claims are invalid for failing to meet the BEST MODE requirement?

'465 patent

Claim 1	<u>      </u> invalid	<u>✓</u> valid
Claim 2	<u>      </u> invalid	<u>✓</u> valid
Claim 3	<u>      </u> invalid	<u>✓</u> valid

'861 patent

Claim 1	<u>✓</u> invalid	<u>      </u> valid
Claim 3	<u>✓</u> invalid	<u>      </u> valid

**IV. INVENTORSHIP**

1. Has ThyssenKrupp Elevators Corporation proven by clear and convincing evidence that the Inventio patents do not name the CORRECT INVENTORS?

'465 patent

Claim 1	<u>✓</u> yes	_____ no
Claim 2	<u>✓</u> yes	_____ no
Claim 3	<u>✓</u> yes	_____ no

'861 patent

Claim 1	<u>✓</u> yes	_____ no
Claim 3	<u>✓</u> yes	_____ no

If the answer to Question 1 is "no," do not answer Question 2. If the answer to the Question 1 is "yes" answer Question 2.

2. Who was the other inventor? Schroeder

**WE THE JURY UNANIMOUSLY FIND THIS TO BE OUR VERDICT.**

2/28/14  
Date

\_\_\_\_\_  
Jury Foreperson